

West's Tennessee Code Annotated
Title 8. Public Officers and Employees
Chapter 14. Public Defenders
Part 1. District Public Defenders and Investigators

T. C. A. § 8-14-106
Formerly cited as 8-14-206

§ 8-14-106. Right to counsel; written waiver; advisement

Effective: July 10, 2016
Currentness

(a) No person in this state shall be allowed to enter a plea in any criminal prosecution or other proceeding involving a possible deprivation of liberty when not represented by counsel, unless such person has in writing waived the right to the assistance of counsel.

(b) Before a court shall accept a written waiver of the right to counsel, the court shall first advise the person in open court concerning the right to the aid of counsel in every stage of the proceedings. The court shall at the same time determine whether or not there has been a competent and intelligent waiver of such right, by inquiring into the background, experience and conduct of the person and such other matters as the court may deem appropriate. If a waiver is accepted, the court shall approve and authenticate it and file it with the papers of the cause, and if the court is one of record, the waiver shall also be entered upon its official minutes.

Credits

1989 Pub. Acts, c. 588, § 6.

Formerly § 8-14-206.

T. C. A. § 8-14-106, TN ST § 8-14-106

Current with laws from the 2020 First Reg. Sess. of the 111th Tennessee General Assembly, eff. through January 24, 2020. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

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